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Notice of Allowability	Application No.	Applicant(s)	
	10/775,513	RAMACHER ET AL.	
	Examiner	Art Unit	
	Cheryl Lewis	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the applicants' communication received on August 23, 2007.
2. ☒ The allowed claim(s) is/are 1,3,4 and 7-21, renumbered as claims 1-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.


4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
 Paper No./Mail Date 4/26/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
 Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


 Cheryl Lewis
 Patent Examiner, A.U. 2167
 October 24, 2007

DETAILED ACTION

1. Claims 1, 3, 4, and 7-21 are allowed.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in an interview with Sean Parmenter on October 23, 2007.

3. Claims 1, 8, 13, 14, and 18 have been amended and claims 2, 5, and 6 have been cancelled as follows:

1. (Currently Amended) A method for quantifying an impact of wasteful operations in a database, the method comprising:

receiving one or more operations that are determined to be wasteful when performed in the database;

detecting when one or more wasteful operations are being performed in the database;

~~determining~~ recording a time value that is spent on a wasteful operation;

and

generating information that quantifies the impact of a performance problem in the database based on the time value; storing the time value, wherein the time value is used to quantify the impact of a performance problem in the database;

wherein the time value measures time spent processing the wasteful operation in the database;

generating an accumulated time value associated with the wasteful operation based on the time value; and

wherein generating the accumulated time value associated with the wasteful operation comprises adding the time value to another time value associated with another operation, the another operation being a database operation that includes the wasteful operation and at least one or more other wasteful operations.

2. (Cancelled)

5. (Cancelled)

6. (Cancelled)

8. (Currently Amended) A method for quantifying wasteful operations in a database, the method comprising:

receiving a plurality of operations that are determined to be wasteful when performed in the database;

detecting when wasteful operations are being performed in the database;

recording a plurality of time values for time spent on performing each of the wasteful operations; and

storing the plurality of time values, wherein a time value is associated with a wasteful operation for which the time value was recorded, wherein the time values are used to quantify a performance problem in the database;

wherein the time value measures time spent processing the wasteful operation in the database;

generating an accumulated time value associated with the wasteful operation based on the time value; and

wherein generating the accumulated time value associated with the wasteful operation comprises adding the time value to another time value associated with another operation, the another operation being a database operation that includes the wasteful operation and at least one or more other wasteful operations.

13. (Currently Amended) A method for quantifying an impact of wasteful operations in a database, the method comprising:

determining one or more operations that are determined to be wasteful when performed in the database;

determining when to monitor the one or more operations, wherein the one or more operations are monitored when the one or more operations are being processed in the database;

detecting when one or more wasteful operations are being performed in the database;

quantifying an impact of a wasteful operation; and

~~generating~~ storing information indicative of a value that quantifies the impact of the wasteful operation for a performance problem in the database;

wherein the value measures time spent processing the wasteful operation in the database;

generating an accumulated value associated with the wasteful operation based on the time value; and

wherein generating the accumulated value associated with the wasteful operation comprises adding the value to another value associated with another operation, the another operation being a database operation that includes the wasteful operation and at least one or more other wasteful operations.

14. (Currently Amended) A computer program product having a computer-readable medium storing a set of code module which when executed by a processor of a computer system cause the processor to quantify an impact of wasteful operations in a database, the computer program product comprising:

code for receiving one or more operations that are determined to be wasteful when performed in the database;

code for detecting when one or more wasteful operations are being performed in the database;

code for ~~determining~~ recording a time value that is spent on a wasteful operation;
and

code for generating information that quantifies the impact of a performance problem in the database based on the time value; storing the time value, wherein the time value is used to quantify the impact of a performance problem in the database;

wherein the time value measures time spent processing the wasteful operation in the database;

code for generating an accumulated time value associated with the wasteful operation based on the time value; and

wherein generating the accumulated time value associated with the wasteful operation comprises adding the time value to another time value associated with another operation, the another operation being a database operation that includes the wasteful operation and at least one or more other wasteful operations.

18. (Currently Amended) A computer program product having a computer-readable medium storing a set of code modules which when executed by a processor of a computer system cause the processor to quantify wasteful operations in a database, the computer program product comprising:

code for receiving a plurality of operations that are determined to be wasteful when performed in the database;

code for detecting when wasteful operations are being performed in the database;

code for recording a plurality of time values for time spent on performing each of the wasteful operations; and

code for storing the plurality of time values, wherein a time value is associated with a wasteful operation for which the time value was recorded, wherein the time values are used to quantify a performance problem in the database;

wherein the time value measures time spent processing the wasteful operation in the database;

code for generating an accumulated time value associated with the wasteful operation based on the time value; and

wherein generating the accumulated time value associated with the wasteful operation comprises adding the time value to another time value associated with another operation, the another operation being a database operation that includes the wasteful operation and at least one or more other wasteful operations.

REASONS FOR ALLOWANCE

4. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not render obvious to one ordinarily skilled in the art at the time of applicant's invention nor anticipate the combination of claimed elements including "generating information that quantifies the impact of a performance problem in the database based on the time value; storing the time value, wherein the time value is used to quantify the impact of a performance problem in the database; wherein the time

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value measures time spent processing the wasteful operation in the database; generating an accumulated time value associated with the wasteful operation based on the time value; and wherein generating the accumulated time value associated with the wasteful operation comprises adding the time value to another time value associated with another operation, the another operation being a database operation that includes the wasteful operation and at least one or more other wasteful operations" and as recited in independent claim 1 and similarly recited in independent claims 8, 13, 14, and 18.

The remaining claims, 3, 4, 7, 9-12, 15-17, and 19-21 are dependent claims, thus these claims are patently distinct over the art of record for at least the above reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

NAME OF CONTACT

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone

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number for the organization where this application or proceeding is assigned is (571) 273-8300.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Cheryl Lewis/
Patent Examiner, A.U. 2167
October 24, 2007